

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

LEINER HEALTH SERVICES CORP.
a Delaware corporation,

Opposer,

vs.

HEALTH NET, INC., a Delaware corporation,

Applicant .

TTAB

Opposition No. 91/166,558



08-31-2006

U.S. Patent & TMO/tm Mail Rcpt Dt. #74

CERTIFICATE OF MAILING

The undersigned declares under the penalty of perjury the within UNOPPOSED MOTION TO EXTEND TESTIMONY PERIODS was forwarded to BOX NO FEE - TTAB, Commissioner of Trademarks, P.O. box 1451, Alexandria, Virginia 22313-1451, by depositing same with the United States Postal Service as first class mail, postage prepaid, this 29th day of August, 2006.


SHERYL R. CONAWAY

UNOPPOSED MOTION TO EXTEND TESTIMONY PERIODS

Opposer hereby moves the Board for an extension of the testimony periods for sixty (60) days as follows:

Testimony period for party in position of plaintiff to close (opening thirty days prior thereto)

November 30, 2006

Testimony period for party in position of defendant to close (opening thirty days prior thereto)

January 29, 2007

Rebuttal testimony period to close
(opening fifteen days prior thereto)

February 28, 2007

The requested extension is not for the purpose of delay. The parties are actively engaged in settlement discussions regarding this proceeding. The requested extension is necessary to allow the parties to complete settlement discussions without incurring potentially unnecessary litigation expenses. Richard H. Zaitlan, Esq., of Pillsbury Winthrop Shaw Pittman LLP, counsel for Applicant, has consented to this Motion and extension in a communication of August 28, 2006.

Respectfully submitted,

ISAACMAN, KAUFMAN & PAINTER
A Professional Corporation

By: 

Michael A. Painter
Attorneys for Opposer

/src
August 29, 2006
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CERTIFICATE OF SERVICE

The undersigned declares under the penalty of perjury the within **UNOPPOSED MOTION TO EXTEND TESTIMONY PERIODS** was forwarded to counsel for Applicant, Richard H. Zaitlan, Esq., Pillsbury Winthrop Shaw Pittman LLP, 725 South Figueroa Street, Suite 2800, Los Angeles, California 90017 via first class mail, postage prepaid, this 29th day of August, 2006.


SHERYL R. CONAWAY